REMARKS/ARGUMENTS:

This Amendment and the following remarks are intended to fully respond to the Office Action mailed January 19, 2007. In that Office Action claims 1-18 were examined, and all claims were rejected. More specifically, claims 1-6, 8-16 and 18 were rejected under 35 U.S.C § 102(e) as being anticipated by Bushe et al., U.S. Patent No. 6,978,422, and claims 7 and 17 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Bushe et al. in view of Hanggie et al., U.S. Patent Application US2003/0231204 A1. In this amendment, claims 2 and 14 have been cancelled. Claims 1, 3-13, and 15-18 remain pending for examination.

The amendments submitted above to certain paragraphs in the specification have been done so to correct informalities, such as switched, omitted, or incorrect figure reference characters or numbers, or inconsistent reference names, and to correct grammatical or spelling errors.

The amendment made to the paragraph on page 3 was done to correct grammar (the word "comprising" should not be at the end of the sentence).

The amendment made to the first paragraph on page 11 was done to correct a reference number ("data items 309" should be "data content 313").

The amendment made to the second paragraph on page 11 was done to correctly designate a registered mark of Microsoft Corporation ("Microsoft Windows" should be "Microsoft Windows ®").

The amendment made to the paragraph on page 13 was done to add omitted reference names ("310" should be "style definitions 310," and "318" should be "tree assembler module 318").

The amendment made to the paragraph on page 20 was done to correct a reference number ("object collection 306" should be "object collection 307").

No new matter has been added through any of these amendments.

The amendments submitted above to certain claims have been done so either in response to the Examiner's rejections or objections or to correct claim dependency, to correct antecedent

9

basis, to correct inconsistent claim element names, to put the claim in conventional form, to correct punctuation, spelling, improper word usage, and the like.

Specifically, Claim 1 was amended to preserve the antecedent basis of claim elements ("objects" in lines 4 and 6 should be "plurality of objects;" "style definition" in lines 11 and 12 should be "visual style definition;" and "the plurality of data fields" in line 8 should be "the one or more data fields").

Claim 9 was amended to preserve the antecedent basis of claim elements ("data" in line 1 and "data items" in lines 5, 6, and 7 should be "one or more data items;" "appropriate style" in lines 2 and 6 and "style" in line 4 should be "appropriate visual style;" and "the plurality of data fields" in line 8 should be "the one or more data fields").

No new matter has been introduced through any of these claim amendments.

A.   **Objections to the Specification**
      For Informalities

The Examiner objected to the specification because of the following informalities:

On page 1, line 21: Applicant referred to the "Linux platform" which is a trademark. Applicant has amended the paragraph to now read the "LINUX™ platform" to respect the proprietary nature of the mark as required by the Examiner.

B.   **Rejection of Claims**
      Under 35 U.S.C. § 102(e)

The Examiner has rejected claims 1-6, 8-16, and 18 under 35 U.S.C. §102(e) as being anticipated by Bushe et al., U.S. Patent No. 6,978,422.

In response, Applicant has cancelled claims 2 and 14 rendering the rejection moot as to these claims, and has amended independent claims 1 and 9 to more distinctly distinguish Applicant's invention.

Claim 1 Further Limitations

> "a layout engine for providing additional user interface elements; and
> a user interface element factory for adding the additional user interface
> elements to the data."

10

Support for these amendments may be found in the specification on page 3, lines 6-9; page 15, lines 28-30; page 17, lines 21-24; and in reference to FIGS. 3 and 6.

The Examiner asserts that these added claim elements (formerly found in claim 2 which has now been cancelled) are taught by Bushe et al. at col. 11, lines 29-40. However, a close examination of this portion of Bushe et al. does not support the assertion. This section of Bushe et al. is dealing with the management server computer system 130 which operates the management server 140 which is a software application (and process) which, when operating, interacts with resource agents 160 that operate on or in conjunction with the various managed hardware and software resources 150 to *collect managed object data 134*. The example given is that the managed resource 150-1 may be a data storage system upon which a resource agent 160-1 operates to periodically gather performance and statistical information concerning the state of operation of the data storage system resource 150-1. The resource agent 160-1 transfers this information as *managed object data 134* to the management server computer system for receipt and storage by the management server 140. All that is described here is a data gathering operation, where the newly gathered data is added to the store of object data 134, and has nothing to do with adding *additional user interface elements*. Bushe et al. does not teach or disclose a separate user interface element factory 324 (page 12, lines 24-29 in the specification), which is in addition to the style definitions module 310 (page 10, lines 12-20 in the specification) disclosed by Applicant. The separate user interface element factory 324 allows additional user interface elements to be applied to the data *after the stored style definitions have already been applied*. These additional user interface elements are applied through a *separate layout engine 322* (page 12, lines 24-29 in the specification) which is different and distinct from the rendering engine 320 (page 12, lines 21-24 in the specification). Bushe et al. does not teach or suggest this added functionality, which essentially is a *post processing operation performed after style definitions have been applied*, and can be used to "determine where to place certain display items and how large to make them relative to the physical characteristics of a particular computer system" (see page 12, lines 27-29 in the specification).

Applicant submits therefore that Bushe et al. does not teach nor suggest these additional limitations. Since the Bushe et al. reference does not disclose expressly or inherently *all* of the elements and limitations of Applicant's amended claim 1, Applicant believes that claim 1 is not

anticipated by <u>Bushe et al.</u>, and Applicant requests withdrawal of the Examiner's rejection to this claim under 35 U.S.C. §102(e).

Claims 3-6 and 8 depend directly or indirectly from independent claim 1 and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claim 1, Applicant likewise believes that claims 3-6 and 8 also overcome the Examiner's rejection based on <u>Bushe et al.</u> under 35 U.S.C. §102(e), and withdrawal of that rejection in respect to these claims is also respectfully requested.

Claim 9 Further Limitations

"detecting a change dynamically in a relevant data item;

invalidating the visual tree;

recognizing the invalidation of the visual tree; and

in response to recognizing the invalidation of the visual tree, regenerating

the necessary portions of the visual tree; and

re-rendering the display based on the regenerated visual tree."

Support for these amendments may be found in the specification on page 12, line 30 through page 13, line 2; page 20, line 6 through page 22, line 19; and in reference to FIGS. 3 and 10.

The Examiner asserts that these added claim elements (formerly found in claim 14 which has now been cancelled) are taught by <u>Bushe et al.</u> at col. 17 lines 21-35, and at col. 19, lines 12-21. However, a close examination of these portions of <u>Bushe et al.</u> does not support the assertion. In <u>Bushe et al.</u> at col. 17 lines 21-35, the view selector 222 expands the set of object selections to include other objects by determining if the current object selection (i.e., the object selection being processed in this iteration of the loop of step 303) is a group object selection. If the current object selection is a group object selection and the group type for the current object selection matches a use case for the current task selection (i.e., the task selection being processed in the iteration of the loop defined by step 301), then the view selector 222 *adds the child objects* (i.e., the objects in the group) of the *current group object selection* to an expanded set of object selections. Generally then, step 304-1 allows the view selector to gather an expanded set of object selections in the event that the object selection in step 303 is a group object. The object selections added to the expanded set of object selections are *child objects* for which the group

12

type of the current object selection matches one or more use cases defined in the task definition associated with the current task selection. All of the objects in the above discussion, *parent or child objects*, are *preexisting* in the system. There is no teaching or suggestion in Bushe et al. of "detecting a change dynamically in a relevant data item" (i.e., object) that once detected, would result in "invalidating the visual tree," "regenerating the necessary portions of the visual tree," and "re-rendering the display based on the regenerated visual tree" as claimed in amended claim 9.

Moreover, Bushe et al. at col. 19, lines 12-21 adds no further insight to these additional claim elements. The discussion here concerns the view renderer 223 and the process it goes through to determine the view definition 251 for each managed object data 134 that is to be displayed in a particular view 118.

Applicant submits therefore that Bushe et al. does not teach nor suggest these additional limitations. Since the Bushe et al. reference does not disclose expressly or inherently all of the elements and limitations of Applicant's amended claim 9, Applicant believes that claim 9 is not anticipated by Bushe et al., and Applicant requests withdrawal of the Examiner's rejection to this claim under 35 U.S.C. §102(e).

Claims 10-13 and 15, 16, and 18 depend directly or indirectly from independent claim 9 and include all the elements and limitations thereof. As a result, and in light of the foregoing remarks concerning independent claim 9, Applicant likewise believes that claims 10-13 and 15, 16, and 18 also overcome the Examiner's rejection based on Bushe et al. under 35 U.S.C. §102(e), and withdrawal of that rejection in respect to these claims is also respectfully requested.

C. Rejection of Claims
Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 7 and 17 under 35 U.S.C. §103(a) as being unpatentable over Bushe et al. in view of Hanggie et al., U.S. Patent Application US2003/0231204 A1.

Applicant respectfully traverses. Claims 7 and 17, through dependency, embody all the elements and limitations of independent claims 1 or 9. Applicant has amended independent claims 1 and 9 as described above in Section B to remove Bushe et al. as anticipatory prior art under 35 U.S.C. §102(e). As argued above, Applicant believes that Bushe et al. does not teach

13

or suggest all the elements and limitations of Applicant's independent claims 1 and 9. Therefore, combining <u>Hanggie et al.</u> with the teaching of <u>Bushe et al.</u> would not arrive at Applicant's claimed invention. Thus, Applicant believes that dependent claims 7 and 17 are patentable over <u>Bushe et al.</u> in view of <u>Hanggie et al.</u> Accordingly, Applicant requests retraction of the Examiner's rejection of claims 7 and 17 under 35 U.S.C. §103(a).

CONCLUSION:

This Amendment fully responds to the Office Action mailed on January 19, 2007. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicant believes the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

Thus, a bona-fide attempt has been made to ensure that the application meets all statutory requirements and is in condition for allowance. The Examiner's early indication to that effect is, therefore, courteously solicited.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.
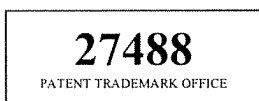
In light of the above remarks and amendments, it is believed that the application is now in condition for allowance and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is requested to telephone the undersigned to attempt to resolve those issues.

If a telephone conference would expedite allowance or resolve any additional questions, such a call is invited at the Examiner's convenience.

Respectfully submitted,

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Date: March 26, 2007

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PATENT TRADEMARK OFFICE

15